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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,319	04/09/2001	Robert Houben	41696/DBP/L379	8790
23363	7590	12/17/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER

2176

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/832,319

Applicant(s)

HOUBEN ET AL.

Examiner

Paul Nguyen-Ba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This action is responsive to Information Disclosure Statement filed on 7/21/2003.
2. Claims 1-48 have been considered. Claims 1, 7, 15, 18, 24, 32, 35, and 41 are independent claims.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-14 need to be directed towards a “computer-implemented” method. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. §101.

To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in

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anticipation of applicant amending these claims to place them within the four statutory categories of invention.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-11, 13-28, 30-45, 47, and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Cascio et al. (“Cascio”), U.S. Patent Application Publication No. 2002/0091818.

With respect to **independent claims 1, 18, and 35**, Cascio teaches a method, system, and computer program product for processing a document (see Abstract), comprising:

*providing at least one behavior document including processing instructions* (see Fig. 3 – *item 320*; see also [0023], [0025], [0052] → defines data extraction (processing) rules, *compare with* “behavior document”);

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*accepting an incoming document* (see [0025] and [0047] → extracts data from a legacy data stream (i.e. P2P, Web page documents data, etc.));

*reading a personality document, the personality document including behavior document selection instructions for selecting a behavior document based on the incoming document* (see Fig. 3 – items 340, 350; see also [0025] and [0052] → *compare with matching rule*);

*selecting a behavior document using the personality document behavior document selection instructions and the incoming document* ([0026] and [0052] → associates the rule components (i.e. “behavior documents”) to a particular template); and

*processing the incoming document according to the processing instructions in the selected behavior document* (see [0025], [0026]).

With respect to **claims 2, 13, 19, 30, 36, 46**, Cascio teaches extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → *personality, behavior, serving, incoming, working documents*).

With respect to **claims 3, 4, 8, 9, 16, 17, 20, 21, 25, 26, 33, 34, 37, 38, 42, 43**, Cascio teaches ...*transmitting the instructions* (documents)...*via a communication network* (see [0040]-[0046]).

With respect to **claims 5, 6, 10, 11, 22, 23, 27, 28, 39, 40, 44, 45**, Cascio teaches *transforming the incoming document into an incoming software object and invoking a*

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*document processing software object* (see [0048] → object-oriented: self-contained entities that consist of both data and procedures to manipulate the data).

With respect to **independent claims 7, 24, and 41**, please refer to the rationale relied upon to reject independent claims 1, 18, and 35. Furthermore, Cascio teaches a *translation document* and *translation document selection instructions...*, *selecting a translation document...*, *translating the incoming working document using the selected translation document* (see [0077]).

With respect to **claims 14, 31, and 48**, Cascio teaches extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → personality, behavior, serving, *incoming*, *working* documents); and *the selected translation document is a XSLT document* (see [0077]).

With respect to **independent claims 15 and 32**, Cascio teaches the data processing system wherein the personality instructions include:

*receiving an incoming document...*(see [0025] and [0047] → extracts data from a legacy data stream (i.e. P2P, Web page documents data, etc.));

*invoking a director, the director containing instructions...*(see Fig. 3 – items 340, 350; see also [0025] and [0052] → *compare with* matching rule);

*invoking a dispatcher...including processing the incoming document according to the selected processing instructions* (see Fig. 3 – item 320; see also [0023], [0025], [0052] → defines data extraction (processing) rules).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 12, 29, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Walsh et al. ("Walsh"), U.S. Patent No. 6,810,429.

With respect to **claims 12, 29, 46**, Cascio does not explicitly teach that the *processing instructions further include invoking a document parser*. However, Walsh teaches an enterprise integration system coupled to a number of legacy data sources wherein the documents are parsed (see col. 14 lines 22-26) for the purpose of processing XML documents according to the rules.


Since Cascio and Walsh are both from the same field of endeavor, the purposes disclosed by Walsh would have been recognized in the pertinent art of Cascio. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Cascio with the teachings of Walsh to include the processing instructions further include invoking a document parser for the purpose of processing XML documents according to the rules.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached from 10:30 am - 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER

PNB